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Common SPCC Compliance Problems and Enforcement at Oil Storage Facilities

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Topics of Discussion

- Common Problems in Compliance with Spill Prevention, Control and Countermeasures Regulations (SPCC)
- SPCC Expedited Enforcement

Criteria for Compliance with Oil Spill Prevention Regulations

- Greater than 660 gallons of capacity in a single container
- Greater than 1,320 gallons of aggregate storage capacity
- Greater than 42,000 gallons of underground storage capacity

Common Compliance Problems with SPCC

- Failure to have an SPCC plan certified by a P.E.
- Inadequate or no secondary containment around tanks
- Visible oil in the secondary containment area
- Inadequate or no secondary containment at loading/unloading area

Common Compliance Problems with SPCC (con't)

- Secondary containment drain valves left open
- Poor security (production facilities excluded)
- Numerous drips and leaks
- Inadequate records of inspections and testing

Loading/Unloading Area



Loading/Unloading Area



Loading/Unloading Area



Secondary Containment



Secondary Containment



Housekeeping



Housekeeping



SPCC Expedited Enforcement Program (SEEP)

- Designed for minor SPCC violations that are easily correctable
- Focus is on correcting violations, not negotiating penalty amounts
- Based on announced inspections
- Available for 30 days

SEEP Program Criteria:

- No SPCC violations in the past five years
- No spills greater than 1000 gallons within the past 5 years
- Easily correctable violations only
- Must have addressed secondary containment
- Penalties are >\$400 and <\$3000

SEEP qualifying facilities receive:

- Inspection findings with penalty amounts
- Expedited Settlement Agreement
- Instructions
- 30 days to correct violations

Non-qualifying or non-participating facilities could receive:

- Information request letter
- Administrative Civil Complaint
- Penalties up to \$27,500 per violation
- Invitation to a settlement conference
- Opportunity for an administrative hearing

Obvious SEEP benefits:

- Program causes a “ripple effect” in the regulated community
- 20 facilities come into compliance for every SPCC inspection
- Lower penalties provide economic incentive for compliance
- Fewer spills from fixed facilities
- EPA is gone in 30 to 60 days!!!

Summary

- Oil spill prevention is a primary goal of EPA's oil program
- Common SPCC compliance problems include: No SPCC plan, lack of secondary containment, poor security, and poor housekeeping problems
- EPA is addressing compliance problems through outreach and enforcement



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